

## **AMENDMENTS TO THE CLAIMS**

This listing of claims replaces all prior versions and listings of claims in the application:

1-13. (CANCELED)

14. (PREVIOUSLY PRESENTED) A method for assaying the activity of an enzyme comprising  
    contacting at least one of a kinase, phosphatase, or protease enzyme or endproduct resulting from  
    reaction of an enzyme with the substrate with a population of fluorophore labeled substrate in an aqueous  
    enzymatic reaction mixture,  
    allowing the enzymatic reaction to proceed,  
    contacting this reaction mixture with a paramagnetic metal ion to form a complex of the  
    paramagnetic metal ion with a target group, said complex when in proximity to the fluorophore causing the  
    specific quenching of the fluorescence from the fluorophore,  
    measuring the intensity of the observed fluorescent emission from the mixture,  
    relating the observed fluorescence from the mixture to that of an external reference, and  
    ascribing a differential fluorescent signal, if any, between the two, the ascribed differential fluorescent  
    signal of the sample being indicative of the final state of the fluorophore labeled substrate population after  
    enzymatic reaction, and in turn an indicator of enzymatic activity.

15-16. (CANCELED)

17. (CURRENTLY AMENDED) The method of claim [[15]] 14 wherein the paramagnetic metal ion is Fe (III)  
and the target group is a phosphoryl group.

18. (CANCELED)

19. (ORIGINAL) The method of claim 14 wherein the substrate or endproduct contains a single fluorophore  
label which is the only dye entity attached thereto.

20. (CURRENTLY AMENDED) The method of claim [[15]] 14 wherein the substrate or endproduct contains a  
single fluorophore label which is the only dye entity attached thereto.

21. (CANCELED)

22. (PREVIOUSLY PRESENTED) The method of claim 14 wherein the paramagnetic metal ion, in addition to  
being bound to the target group, is coordinated with a chelator.

23. (PREVIOUSLY PRESENTED) A kit comprising a paramagnetic metal ion and an instruction booklet referencing and/or describing the manner in which the assay can be accomplished with respect to one or more enzymes as set forth in claim 14.

24. (ORIGINAL) The kit of claim 23, further including a synthetic calibrator.